

FILED

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

MAY 18 2016

CLERK, U.S. DISTRICT COURT

By \_\_\_\_\_ Deputy

UNITED STATES OF AMERICA

§

§

VS.

§

NO. 4:15-CR-271-A

§

OSCAR VASQUEZ, ET AL.

§

ORDER OF SEVERANCE

The above-captioned criminal case was initiated on December 9, 2015, by the filing of an indictment against eleven defendants. The indictment charged the offense of conspiracy to possess with intent to distribute a controlled substance in violation of 21 U.S.C. § 846, and alleged that the offense charged occurred "[b]eginning in or about 2012, and continuing until on or about November 12, 2015." Indictment at 1. All but one of the defendants named in the indictment have pleaded guilty, three have been sentenced, and all the others who have pleaded guilty are scheduled for sentencing either later this month or next month. The defendant who has not pleaded guilty is, according to the court's understanding, a fugitive.

A superseding indictment bearing the criminal case number set forth above was filed on the date of the signing of this order. It recites under the case number shown on its first page that it "Supersedes Indictment returned on December 9, 2015 as to defendants 12-29 only." That recitation is puzzling inasmuch as

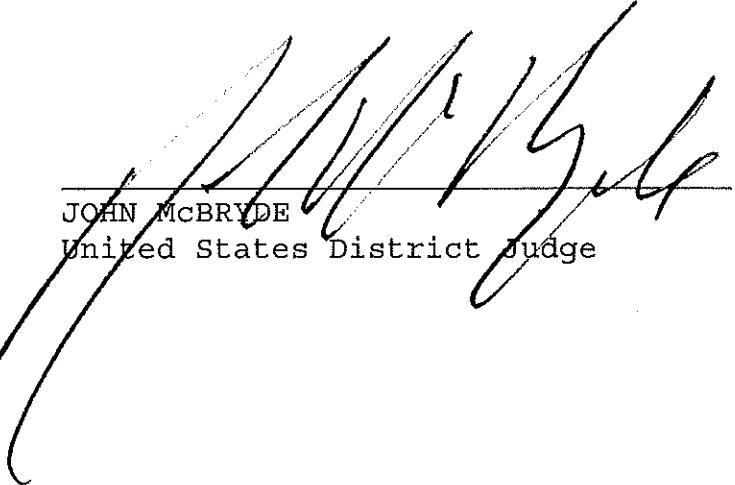
none of the defendants named in the original indictment is named in the superseding indictment, and "defendants 12-29" are entirely new defendants to this case. The superseding indictment again charges a conspiracy offense in violation of 21 U.S.C. § 846, but seems to allege a different conspiracy, alleging that the conduct that is subject to the superseding indictment began "in or before January 2014, and continu[ed] until in or around April 2016." Superseding Indictment at 2. Thus, the court can think of no reason why the offense and defendants named in the superseding indictment should be grafted onto Case No. 4:15-CR-271-A. Therefore,

The court ORDERS that there be a severance from Case No. 4:15-CR-271-A into a newly created Case No. 4:16-CR-132-A the offense charged by the superseding indictment and all defendants named in the superseding indictment, and that the superseding indictment shall be deemed to be the indictment in the newly created Case No. 4:16-CR-132-A and the defendants in the newly created case are to be those named as defendants in the superseding indictment filed in Case No. 4:15-CR-271-A on May 18, 2016.

The court further ORDERS that the style of the newly created Case No. 4:16-CR-132-A shall be: United States of America v. Charles Ben Bounds, also known as Pretty Boy, Brian Matthew

Brown, also known as Downtown, Amanda Rose Chamberlain, Lee Fogle, Billy Fred Gentry, Jr., also known as Fred Gentry, Chayce Daniel Hodges, also known as Staks, Kevin Kyle Killough, also known as Kilo, Roger Wayne Langston, also known as Big Country, James Marcus Laxson, also known as Monster, Michael John Mize, also known as Miklo, Raul Rangel, also known as J.R., Martha Jane Rodgers, also known as Momma Frost, Melissa Mae Sherman, also known as Littler Bit, Chad Shulka, also known as Russian, Billy Ray Skaggs, Donald Lance Taylor, Melissa Veatch, also known as Missy, and Drew Justice Windsor, also known as Justice Windsor.

SIGNED May 18, 2016.

  
JOHN McBRYDE  
United States District Judge